

CITY OF MILFORD
REGULAR MEETING
APRIL 2, 2002
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 2nd day of April 2002 at 7:30 P.M. Present were: Mayor J. Elaine Plessel; Council members Scott Burroughs, Gary Cooper, Rick Fortune, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken; City Clerk Jeanne Hoggins. Also present: Joe Yocum, Marvin Mullaney, Bob & Jackie Anderson, Sue Allen, Cody Yakel, Lee & Don Eberspacher, Robin Leichty, Robert Hull, Dean Bruha, Merle Davids and Rob Hightshoe with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Plessel called the meeting to order at 7:30 pm.

MINUTES: A motion was made by Fortune and seconded by Neal to approve the minutes of the March 5, 2002 meeting. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper abstain. Motion carried.

A motion was made by Neal and seconded by Cooper to approve the minutes of the March 12, 2002 meeting. Roll call vote: Neal yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Cooper and seconded by Neal that the following bills in the amount of \$108,056.45, bond principal and interest in the amount of \$48,775.00 totaling \$156,831.45 approved by the Auditing Committee to be approved for payment. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

34580	Mark Frey	1069.36
34381	Forrest K. Siebken	1013.76
34582	Mavis Lynn Ferris	24.98
34583	Jeanne M. Hoggins	903.32
34584	Gary Lee TeSelle	724.43
34585	Scott Dean Fosler	845.97

34586	Robert L. Hull	684.81
34587	Beverly J. Wehrs	299.24
34588	Edna A. Riedl	290.35
34589	David R. Dahle	799.55
34590	Louis J. Bialas	782.33
34591	Pamela J. Slama	272.32
34592	Arlene F. Sieck	530.71
34593	Lucy B. Honig	258.69
34594	Zachary D. Eden	129.70
34595	Bryce C. Johnson	667.45
34596	Philip Winkelmann	667.45
34658	Mark Frey	1069.36
34659	Forrest K. Siebken	1013.76
34660	Mavis Lynn Ferris	28.73
34661	Jeanne M. Hoggins	903.32
34662	Gary Lee TeSelle	651.50
34663	Scott Dean Fosler	877.99
34664	Robert L. Hull	703.12
34665	Beverly J. Wehrs	423.75
34666	Edna A. Riedl	251.21
34667	David R. Dahle	703.75
34668	Ann M. Miller	30.33
34669	Louis J. Bialas	732.84
34670	Pamela J. Slama	277.19
34671	Arlene F. Sieck	550.57
34672	Lucy B. Honig	304.73
34673	Zachary D. Eden	150.79
34674	Bryce C. Johnson	667.45
34675	Philip Winkelmann	667.45
34677	Gary W. Cooper	138.53
34678	Roger L. Kness	123.14
34679	Joyce Elaine Plessel	184.70
34680	Ricky Gene Fortune	138.53
34681	Scott C. Burroughs	138.53
34682	Emerson L. Neal	138.53
GENERAL FUND:		
34577	General Excavating – Work on V-View Lift Station	400.00
34578	NE Rural Water Assoc – WW Treatment Training	170.00
34579	U.S. Postmaster – Utility Billing Postage	211.08
34597	Ameritas Life Insurance Corp – Retirement	1238.49
34598	American Legal Publishing Corp – '02 Suppl Pgs	97.00

34599	AFLAC – Disability, Accident, Cancer Supplemental	152.90
34600	Alltel – Pager, Cellular, Internet, Pay Phone-Feb	279.41
34601	Alltel – Long Distance for February	4.09
34602	Best Western City Centre – Street Survival Hotel/45	48.15
34603	Bob’s Automotive – Work on #30 Pumper	388.75
34604	Buman’s Mechanical – Tire Repair, Plugs, Connector	56.04
34605	Butchs Welding & Repair – Nuts, Bolts, Pipe, Labor	554.84
34606	Sports Express – 6 T-Shirts	58.45
34607	Century Labs Inc – Chuck Hole Patch	121.34
34608	Culligan Water Conditioning – Soft Water	17.00
34609	Dorchester Coop – Gas/Diesel for February	693.92
34610	The Crete News – Lifeguard Ad	28.80
34611	D & D Communications – Monitors	3450.00
34612	Deeter Foundry, Inc – Manhole Covers	224.00
34613	Don’s Pioneer Uniforms – Util Belts, Keepers, Pants	276.45
34614	Eakes Office Plus – Typewriters, Copy Paper, Evv	980.67
34615	Ed M Feld Equipment Co – SCBA’s	47368.00
34616	Ehlers Radio & TV - Batt for Dept Cell Phone	49.95
34617	Farm Plan – Fuel Pump, Gasket	26.66
34618	Gall’s Inc – Badges for Coats	12.97
34619	The Garbage Company – Service for February	87.00
34620	Great Plains-One Call Service – Locate Req Surcharge	9.83
34621	Guarantee Oil Co of Nebraska – Drum Oil	258.50
34622	Harman’s Camera Center – Camera Repair & Bag	135.90
34623	Kep Harding Sport Shop – Equipment, Supplies	481.19
34624	Kirkham Michael – Flood Plain Mitigation	6012.00
34625	League of NE Municipalities – Water Operators Trng	40.00
34626	Milford Supermarket – 2 Gal Distilled Water	1.98
34627	The Milford Times – Minutes, Mtg Notice, Lifeguard	210.00
34628	Milford Vol Fire Dept – 11 EMA Conf Registration	1540.00
34629	NE Law Enforcement Training – 2 TABE Tests	10.00
34630	NE Dept of Revenue – Sales Tax for February	1255.08
34631	NE Motor Parts – Breath Testing Equip, Bulb, Keys	227.36
34632	NE Public Power District – Service for February	4086.16
34633	NE Tech & Telecomm Inc – Service for February	457.93
34634	Olsson Associates – Survey/Design, Easement	6076.97
34635	Peoples Natural Gas – Service for February	1048.51
34636	Pizza Kitchen – Catered Meal 2/25	87.50
34637	Plus4 Engineering Inc – Simulator Solutions	31.55
34638	PowerPlan – Check Valve, Starter, Mo, Bolts	338.65
34639	B & B Electronics – Ethernet Hub/Install	184.00

34640	Rediger Chevrolet – Oil Change, Replace Bulbs	103.43
34641	Roxanne Roth–Clean City Offices, Fire Hall, Library	200.00
34642	Mrs Wayne Roth – 2 Sheet Cakes	28.00
34643	SCS Construction Inc – Progress Estimate #2	4995.00
34644	Schlegel’s Groceries – Dog Food, Film Proc, Groc	38.53
34645	Seward Electronics –Hand Held Radios, Siren Repair	476.06
34646	Seward Co Independent – Lifeguard Ad, 1 yr Subscr	109.00
34647	Seward Co Rural Public Power Dist – Wells 4 & 5	464.76
34648	Share Corp – Floating Lft Dgr	938.46
34649	Sunrise Country Manor – 332 Meals for February	996.00
34650	Tractor Supply Co – 4 Jack Stands	147.96
34651	Utility Equip Co – ROM Register for RCDL	141.23
34652	Beverly Wehrs – Paper Products (Sam’s)	66.49
34653	Bruce Rediger – Alley Claim	300.00
34654	Jason Ring – Water & Sewer Deposit Refund	28.48
34655	Voigt Monuments – Wk done on Headstones	1300.00
34656	University of NE/Lincoln – Public Health, Gen Std	20.00
34657	United Healthcare of the Midlands – Health Ins/Apr	5594.59
34676	Ameritas Life Insurance Corp – Retirement	1238.49
34683	Alltel – Mobile Phone, Direct Adver, Paging-March	46.57
34684	Blevens Law Office – Legal Services for March	350.00
34685	City of Milford – D Dahle Acct #45000	100.00
34686	Christin Sutter – 6 Sessions Girls Basketball	90.00
34687	D & D Communications – Cord, Switch, Relay	140.50
34688	Days Inn – Meeting in Columbus	789.64
34689	Doubleday Book Club – 6 Books	98.88
34690	Emedco – Tags for Ball Bags	35.49
34691	Lorna Frey – Assist 5 Sessions Girls Basketball	50.00
34692	Heartsong Presents – 4 Books	9.97
34693	Hornady – Ammo	69.04
34694	Hotsy Equipment Co – Hot Water Pressure Washer	3395.00
34695	Ingram Library Services – 29 Books	201.10
34696	Industrial Chem Labs & Svcs – Root Begone	237.41
34697	Kelly Supply Co – Galv Reducer, Alum Coup	86.19
34698	Kirkham Michael – Flood Plain Mitigation	1368.28
34699	Law Enforcement Systems – Police ID Cards	23.95
34700	Lesco Inc – Gate Material ACC Easy	168.13
34701	Lincoln Winlectric Co – 24 AA Batteries	21.64
34702	Milford A/C & Appliance – Floor Registers	35.60
34703	Milford Plumbing Inc – Nipple, Cup, Labor	2.47
34704	Milford School Dist #5 – Fines Collected for March	40.00

34705	Milford Vol Fire Dept – 14 Registrations/Fire School	910.00
34706	Midwest Service & Sales Co – 10’ Drag Blades-Blkct	65.00
34707	Motorola – Labor	36.00
34708	Mutual of Omaha Companies – Disability	69.23
34709	Nebraska Machinery Co – Filters	53.82
34710	Nebraska Library Commission – 2 Basic MARC	20.00
34711	NE Health Lab – POE 012, Glyphosate, Coliform	271.00
34712	Omaha Life Insurance Company – Life Insurance	73.10
34713	OMB Police Supply – Handcuffs, Keys, Straps, Coat	381.71
34714	Pack-O-Fun – 2 Year Subscription	34.97
34715	Public Safety Center, Inc – Gloves	68.14
34716	Quantum Labs Inc – Rubber Gloves	115.87
34717	Quartermaster – Carrier for Vest	57.90
34718	Reeves – 5 Name Bars	36.35
34719	Regent Book Co Inc – 5 Books	91.10
34720	Edna Riedl – Mileage for Meetings	26.04
34721	Roxanne Roth – Clean City Offices, Fire Hall, Library	220.00
34722	Arlene Sieck – Mileage to Meetings & Equipment	32.24
34723	Sioux Sales Co – Mag Pouch, Tcktbk Holders, Hlstr	508.89
34724	Super 8 Motel – Room for Columbus Training	50.35
34725	Wayne Stohlmann – Reimburse for gas	19.90
34726	U.S. Postmaster – Permit Renewal Fee	125.00
34727	Union Bank – Gary TeSelle Account	300.00
34728	Uniservice, Inc – Pants & Rags	112.04
34729	Wal Mart – Cleaning & Office Supplies	31.15
34730	Watts Up – Lights	171.60
34731	ZEP Manufacturing – Zep-O-Shine, TNT, Sewer Aid	334.20
34732	Sheri Christensen – 1 st Place Volleyball	100.00
34733	Alexander Hamilton Inst – Emplyrs Guide to Record	75.70
34734	Ron Oswald Painting – Finishing 3 Bookshelves	290.25

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Planning & Zoning minutes for March 14, 2002; Milford Aging Services Commission minutes for March 27, 2002; Library Board minutes for March 21, 2002 and Police Activity Report for March 2002. Burroughs – Pool Board met and discussed the following items: Hours will be 1:00 pm to 8:00 pm with Pool Parties scheduled from 8:00 pm to 10:00 pm any night of the week but Sunday. Opening day scheduled for May 25, 2002 with closing scheduled for August 11, 2002. If appropriate staff is available the pool will be open the following weekends thru Labor Day. New rules to be enforced: No open swimming in the pit, No flotation devices allowed in the pool except the baby pool and during scheduled pool

parties. Neal – Library has discovered that they qualify for a second computer grant thru Bill Gates. Possibly \$7,000 for additional computers and internet access. Chief Siebken – Total calls for service during the month of March – 699. Officers Johnson & Winkelman have checked into the academy, classes started Monday, April 1, 2002. Graduation will be June 20, 2002. They will return the following week for radar certification.

COMMUNICATIONS: Sales tax received for the month of January 2002 was \$12,318.79. Galaxy Telecom franchise fee received in the amount of \$13,674.47. Peoples Natural Gas has changed their name to Aquila.

PUBLIC HEARINGS: Application for Class “D” Liquor License @ Casey’s: Mayor Plessel opened the Public Hearing at 7:38 pm and stated that the Public Hearing will be open for discussion on both the Liquor License followed by the Citizen Advisory Committee report. Mayor Plessel opened the floor to the public for comments regarding the Liquor License @ Casey’s. It was explained to the public that a class “D” Liquor License would allow sale of “off sale” distilled spirits, wines and beer. Comments from the public were as follows: The first question to the Casey’s representatives was, “Why do you want to sell hard liquor?” The answer being, “numerous requests made by customers”. “Do you sell liquor in any other Casey’s store?” Answer, “No, we are trying this as a test period throughout a few communities in Nebraska, Iowa and Missouri”. “Right now it is just a test period”. Dean Bruha, Milford – Did not feel it would be in the best interest of the community to sell hard liquor, on an off sale basis. His primary concern is for the students that live in our community and the close proximity of the Southeast Community College (S.C.C.) to the Casey’s Store. After teaching for 17 years at S.C.C. he noted the problems that already exist with alcohol. Mr. Bruha stated that he did not feel that the sale of hard liquor “off sale” would enhance our community. Council member Neal read a statement that was written by the Dean of Students from S.C.C., Larry Meyer: (This memo is written to express Southeast Community College’s opposition in granting a liquor license to Casey’s General Store located directly across Fifth Street from the Milford Campus.) Robin Leichty, Milford – As a mother, substitute teacher and leader in her church she has strong convictions against the sale of off-sale liquor at the Casey’s General Store. She stated that they use the Casey’s store to purchase 90% of their gas, along with pizza’s and donuts. She expressed that her children like to use the store to purchase candy and if her children would have to enter the store with hard liquor sitting around that she would discontinue her patronage of this store. She stated that Milford is a wholesome family community and is strongly opposed to the granting of this liquor license. Casey’s representative stated that they would only be selling pints and ½

pints from a 4-foot area behind the counter. They will not be placing any containers on the main floor. Casey's will only be selling a select few bottles of spirits not large display. Neal asked who they thought their target audience would be? Casey's response – Individuals that might be having guests over and would like to purchase a small amount of spirits to entertain and drink responsibly at home. Council member Fortune stated that there is a fairness issue to address. The community has two on sale establishment that would have to go thru the election process to offer the same "service". Convenient stores just need to make application to the Liquor Commission for approval or denial, which doesn't seem fair. Fortune also noted his concern with the proximity of S.C.C. to Casey's Store. He feels the Council has a responsibility to the College and the members of the community to control this issue and does not feel that issuing this liquor license would be a good decision. Chief of Police Siebken – Strongly opposes this liquor application as he too agrees that Milford is a wholesome family community in which he has raised his family. As of Police Officer he has experienced the local "Thursday Night" parties in which alcohol is already a problem source. Primarily the current source of alcohol is beer but they have occasionally encountered spirits as a source. His concern is with the proximity of the College to Casey's. ½ pints and pints tend to facilitate the college crowd and binge drinking, which is a problem shown by a nation wide Harvard Study. (Results of Harvard study attached) County Sheriff Joe Yocum was present to support Chief of Police Siebken's assessment. The County has assisted the Milford P.D. on calls in which some have been College parties. Issuing this Class "D" license is a great concern as it would just add to the level of consumption, which is already a problem. Yocum has experienced calls of violence, which has been in conjunction with the abuse of alcohol. He has also experienced fatality accidents within the County in which hard liquor has been at the scene. As a resident of Milford and a father to a 14 year old son he is in opposition to this request. Attorney Robert Blevens stated that ½ pints and pints would be targeting the younger student population as this size of bottle would be easily transported to parties or used while driving around. Milford Police Officer Rob Hull - Mr. Hull wanted to make a point as to the investigation process of liquor violations. When arriving at the scene when containers over 5 gallons (kegs) are present at a party they have means of identifying the individual that has purchased the beer. With these small containers being mentioned there is no way of identifying who they belong to. Bob Anderson, Milford – There is another convenient store located across the Hwy from Casey's and if this license is granted then surely they too will apply for a Class "D" Liquor License to stay competitive. This would mean two convenient stores located very close

to the S.C.C. would have off sale spirits available to the younger student population. Don Eberspacher, Milford - He doesn't understand why Milford would want to add hardships to our community when there are so many alcohol related problems already. Mr. Eberspacher is a concerned father and grandfather and strongly opposes the request for a Class "D" Liquor License to Casey's General Store.

Citizen Advisor Committee: Director of the Economic Development Committee Dean Bruha updated the Council of the activity over the last 6 months. Expenses totaled \$220.00 for updating the Web Site. The group helped a local business establish ground at the industrial site of Hwy 6 & 15. No further comments the public hearing was closed at 8:00 pm.

With the Council's approval the Mayor moved the agenda item of unfinished business to accommodate the absence of Louis Bialas.

NEW BUSINESS:

Introduction and Adoption of Resolution –Liquor License, Casey's General Store: Council member Fortune introduced the adoption of the following resolution:

RESOLUTION NO. 384

WHEREAS, on April 2, 2002, the Mayor and Council of the City of Milford, Nebraska, held a public hearing upon the issuance of a Class D Liquor license to Casey's General Store No.-1622 located at 403 Elm Avenue, Milford, NE 68405; and

WHEREAS, said applicant was represented at said hearing and acknowledged that only pint and half-pint spirits would be available on the Casey's premises; and

WHEREAS, members of the public and representatives of the community appeared in opposition to said license, including Southeast Community College, Milford Police Chief, Seward County Sheriff, and numerous other members of the community who expressed concerns that said facility is in close proximity to southeast community College; that the package sales in pints and half pint quantities are targeted towards students and persons who consume said spirits in vehicles and parties; that issuance of said license to a community convenience store is not in the best interest of the community; and

WHEREAS, that a portion of the City Council minutes relating to the public hearing is attached to this resolution and incorporated herein by references;

NOW, THEEFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA that they find and determine and recommend to the Nebraska Liquor Control Commission that the application Casey's General Store No-1622 located at 403 Elm Avenue,

Milford, NE 68405 for a class D liquor license be denied for the reasons set forth above, and as set forth in the attached transcript of the public hearing upon said license which is incorporated herein by reference.

Upon roll call vote as follows: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Dated this 2nd day of April, 2002.

CITY OF MILFORD, NEBRASKA

Mayor

Attest: _____

City Clerk

Recycle Trailer: Mayor Plessel informed the Council that the present trailer in Milford fills extremely fast and after it's here 1 ½ days it needs to be emptied. The Seward/Saline County Solid Waste Management Committee would be interested in researching another grant to purchase a recycling trailer specifically for Milford. The Mayor asked the Council's permission to proceed with the fact that the City of Milford would need matching funds to purchase the trailer. The Council noted their approval and authorized the Mayor to proceed.

Seward County Housing – Interlocal Agreement: Marvin Mullaney expressed to the Council that the program has made no changes from the past except for a possible increase in income level for applicants. The funds will continue to channel thru Seward. Applications are accepted throughout the County on a 1st come 1st serve basis. A motion was made by Neal and seconded by Cooper to participate with the Seward County Housing Interlocal Agreement. Roll call vote: Neal yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

Fire Dept. membership roster: A motion was made by Fortune and seconded by Burroughs to approve the Fire Dept. membership roster. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Private Wells: A motion was made by Burroughs and seconded by Cooper to approve the following private well permits: Rick Bell – 905 Park Ave, Jim Stutzman – 465 N. "F", Robert Hoffman – 1009 1st St., Doug & Mary Hershberger – 303 N. "F". Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried. Johnnie Walter did not return his permit.

Introduction and Adoption of Ordinance – International Residential Code 2000: The following Ordinance was introduced by council member Fortune.

ORDINANCE NO. 724

AN ORDINANCE ADDING CHAPTER 9-350 TO THE MUNICIPAL CODE TO ENACT THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Hire Pool Employees & Set Wages: A motion was made by Burroughs and seconded by Fortune to approve the following pool employees and their hourly wage: Sheri Condreay - \$6.70, Jessie Danekas - \$6.55, Amanda Fichtner - \$6.70, Dustin Lindgren - \$6.55, Melissa McCall - \$6.55, William Sauer - \$6.70, Pool Manager Jamie Opfer - \$3,969.00 season and Asst. Pool Manager Pat Whitney - \$2,835.00 season. Burroughs noted some adjustments will be made on the manager and asst. manager salaries as determined by hours worked. Roll call vote: Burroughs yes, Fortune yes, Cooper yes, Neal yes. Motion carried.

Increase of Swimming Pool Rates: Increase in rates due to new lights and updates made to the pool in the last couple of years. A motion was made by Burroughs and seconded by Neal to approve the following rate increase for the Milford Pool: Family Season Pass - \$65.00, Non-Resident Family Pass - \$70.00, Private Pool Parties - \$60.00, Daily admissions - .50 increase for children and adults. Roll call vote: Burroughs yes, Neal yes, Cooper yes, Fortune yes. Motion carried.

Hire Part-time Summer Maintenance Employees & Set Wages: A motion was made by Cooper and seconded by Burroughs to approve the following employees and their hourly wage: Bryce Roth - \$6.60, Marcus Siebken - \$6.45 and Kendra Hoggins - \$6.15. Roll call vote: Cooper yes, Burroughs yes, Fortune yes, Neal yes. Motion carried.

Appointment-Housing Authority: A motion was made by Fortune and seconded by Burroughs to approve the Mayor's appointment of Charles Pierce to the Housing Authority for a 5 year term. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Firework Stands: The Mayor presented two permits: Milford Baseball & Softball Association, Inc. at the corner of 5th & "F" Street and ½ Price Fireworks/Rich Ludvik at 410 S. State Hwy. A motion was made by Fortune and seconded by Neal to approve the applications for sale of fireworks. Motion carried.

Approve Payment – K.M. Flood Mitigation: A motion was made by Burroughs and seconded by Cooper to approve payment to Kirkham Michael for invoice #47582 in the amount of \$1,002.00 and invoice #48733 in the amount of \$334.00. Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried. The council asked City Clerk Hoggins to place the Flood Mitigation Study on the May agenda.

Change Orders: Kirkham Michael, “A” St. Storm Sewer Project: A motion was made by Cooper and seconded by Fortune to approve the change order in the amount of \$200.00 for the extended work on the junction box on the “A” St. storm sewer. Roll call vote: Cooper yes, Fortune yes, Burroughs yes, Neal yes. Motion carried.

Olsson Associates – Lift Station Improvements: A motion was made by Fortune and seconded by Burroughs to approve the change order in the amount of \$1,974.00 for the installation of a double throw disconnect switch to the generator. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Introduction and Adoption of Resolution – Nebraska on the Move: Council member Cooper introduced the adoption of the following resolution:

RESOLUTION NO. 385

A RESOLUTION ENDORSING TRANSPORTATION IMPROVEMENTS FOR MILFORD, NEBRASKA AND THE ENACTMENT BY THE NEBRASKA UNICAMERAL OF A NEW STATE-WIDE COMPREHENSIVE TRANSPORTATION PROGRAM

WHEREAS, one of the major responsibilities of City government is to plan for the immediate and long-term transportation needs of the city;

WHEREAS, the Board of City Commissioners of Milford, Nebraska (hereinafter the “City”), has conducted the necessary investigations to identify the transportation capital improvements that are needed in the City; and

WHEREAS, these specific transportation capital improvements are essential to the health, safety and welfare of its citizens in the future; and

WHEREAS, these specific transportation capital improvements are vital to the economic well-being of the City and to its long-term growth and development; and

WHEREAS, the failure to undertake these transportation capital improvements will impede and may prevent the economic needs and goals of the City from being accomplished; and

WHEREAS, the City is unable to finance such capital transportation improvements without substantial assistance from the State of Nebraska and the Nebraska Department of Roads and other state government entities; and

WHEREAS, the State of Nebraska and the Department of Transportation and other state government entities cannot sufficiently address the transportation needs of the City and other counties and cities across the state without the enactment of a new Comprehensive Transportation Program by the Nebraska Unicameral.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF MILFORD, NEBRASKA:

Section 1. Priority Transportation Projects. After careful investigation of the transportation needs in the City, the following transportation capital improvements are hereby declared to be vital to the future economic growth and development of the City and the safety of its citizens:

1. Complete widening of Hwy 6 thru Milford, NE
2. Replace curb and gutter on 1st St. (Business Dist.)
3. Street Improvements throughout town
4. Complete handicap accessible sidewalks at the curb.

Section 2. New Comprehensive Transportation Program. The City hereby endorses and supports the enactment of a new Comprehensive Transportation Program by the Nebraska Legislature of sufficient size and magnitude to address the specific transportation capital improvements set forth in Section 1.

Section 3. The City Clerk shall send copies of this resolution and any supporting documentation to Governor Mike Johanns; State Senators; all candidates for state senator; all local news media outlets; and the League of Nebraska Municipalities; and Nebraska on the Move.

Upon roll call vote as follows: Cooper yes, Burroughs yes, Fortune yes, Neal yes. Motion carried.

Adopted this 2nd day of April, 2002.

Mayor

Attest: _____

City Clerk

UNFINISHED BUSINESS:

Sale of Property – L. Bialas: Fortune noted that due to the concern with the berm supporting the Maintenance Shop foundation, he suggested that the item be tabled and the Council request the presence of Building Inspector Roger Kness to be present for discussion. A motion was made by Burroughs and seconded by Neal to table the item and have Roger Kness present at the meeting. Roll call vote: Burroughs yes, Neal yes, Cooper yes, Fortune yes. Motion carried.

Executive Session – Real Estate: A motion was made by Cooper to seconded by Burroughs to go into Executive Session. Roll Call vote: Cooper yes, Burroughs yes, Fortune yes, Neal yes. Motion carried and Council adjourned from regular session at 8:42 pm.

A motion was made by Burroughs and seconded by Neal to return to Regular Session. Roll call vote: Burroughs yes, Neal yes, Cooper yes, Fortune yes. Motion carried and Council returned to regular session at 8:52 pm.

Alley Settlement: No action taken.

ADJOURNMENT: A motion was made by Neal and seconded by Fortune to adjourn the meeting. Roll call vote: Neal yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried and meeting adjourned at 9:53 pm.

City Clerk

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on April 2, 2002 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted

were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk